



**Fort Myers Beach
Joint Session
Town Council with Local Planning Agency**

**Council Chambers
2525 Estero Blvd.
Fort Myers Beach, FL 33931**

Minutes

Thursday, March 9, 2023

1:00 PM

ORDER OF BUSINESS

I. CALL TO ORDER

Council Members present: Mayor Allers, Vice Mayor Atterholt, Council Member King, Council Member Veach and Council Member Woodson.

LPA Members present: Chair Cereceda, LPA Member Bowen, LPA Member Eckmann, LPA Member Plummer, LPA Member Safford, LPA Member Sudduth and LPA Member Vanasse.

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Recovery Planning issues

Discussion of Recovery Planning for residential zoning densities Mayor Allers discussed whether they needed to change what was already in place regarding the Comprehensive Plan (comp plan). He felt that allowing more density could be detrimental and suggested they look at what they want to see in the future.

Chair Cereceda agreed and shared a story from a younger resident who feared that the beach would end up like Clearwater and she was looking to relocate. Chair Cereceda noted that the sooner they could say with some certainty what their plans and visions were for the future, the better off the residents and visitors would be. She added that right now, the uncertainty was unsettling.

Council Member Veach commented that the town had to revisit its comp plan periodically by state law. He mentioned that the CB (Commercial Boulevard) zoning was very restrictive, and modifications might be needed.

LPA Member Vanasse noted they had an obligation to update the comp plan and existing conditions were very different. He agreed that giving the community a clear idea of what the town wants to be in the future was important. He felt that using FAR (Floor, Area Ratio) for commercial uses was a good idea because rebuilding the commercial side would be the hard part. He commented that any increase in density should be tied to providing the right form of mixed-use and workforce housing.

LPA Member Vanasse noted that the LPA mostly agreed with the recent presentation by the Corradino Group but felt that the FAR and density were too high. He brought up providing public benefits to prevent a piecemeal approach to projects.

Vice Mayor Atterholt felt that traffic congestion was the number one quality of life adverse impacter and wanted to ensure that commercial developers do no harm. In return for additional density requests, he would like to see pedestrian overpasses up and down Estero Blvd. On the bay side, a water ferry system could be implemented to help mitigate congestion and he described the benefits of developers creating workforce housing for their workers.

Council Member Veach did not think they should be giving away more density by right.

Chair Cereceda stated that the mantra for incorporation was "preservation is progress," and that is where they are now.

LPA Member Eckmann appreciated being surrounded by regular people and felt the town should define its own aesthetic and what made the community unique.

LPA Member Safford agreed that being able to walk to different areas was key in the Corradino Group presentation. He did not think it was feasible to rebuild the Sea Gypsy on his small lot. Others with small parcels needed some incentive to build back. He did not want to penalize builders on big lots, but he did not want to see vacant lots for years. He wanted the small-time charm.

Council Member Woodson described why she moved to the town and indicated there had to be a balance between giving away density and allowing small businesses to rebuild. She suggested using the school as an incentive to help keep the community intact.

Mayor Allers used the Sea Gypsy as an example to provide an avenue to allow those to build back what they had, even if it was a little bigger.

Vice Mayor Atterholt brought up flexibility in the comp plan to negotiate density trade-offs for the public benefit. He noted that going higher rather than wider sometimes made more sense.

Council Member King agreed there was a need for a delicate balance and traffic mitigation was a big point.

LPA Member Plummer noted that keeping the view and air corridors open was a benefit of building up, but she did not think employees could afford to live in workforce housing. She felt they should consider allowing small businesses like the Sea Gypsy to build up. She suggested they think about helping the people who are here to rebuild and stay.

LPA Member Sudduth agreed with preserving and encouraging an affordable place to live and vacation. He agreed with getting out of the way and finding a way for people to build back with a balance. He was encouraged that everyone was on the same page.

LPA Member Vanasse mentioned communities having a base density and a max density. He agreed that the FAR would work for almost every project with possible adjustments. He explained a 1.2 FAR and how to calculate it. Planner Propst stated that the future land use districts over downtown and over Santini Plaza allowed a 2.5 maximum FAR, but the zoning districts that enable future land use districts did not. A CPD (Commercial Planned Development) could request more, but public benefits had to be provided.

Mayor Allers preferred to spread out the commercial activity as presented in nodes by the Corradino Group. Vice Mayor Atterholt questioned why they would limit their possibilities by refusing to hear ideas from developers.

Council Member Veach stated that the CB district was highly restrictive and disagreed with some of the proposed high FAR numbers, but he supported ideas to help smaller businesses build.

LPA Member Vanasse pointed out conflicts in the comp plan and the LDC (Land Development Code). He felt they could redevelop using many existing requirements by tweaking some of the language.

Town Attorney Herin, Jr. used Margaritaville as an example and recommended providing wiggle room to provide for discretionary review and define the current language more precisely. Chair Cereceda questioned finding ways to implement solutions for small businesses and residential properties immediately since the comp plan modification will take years.

Town Attorney Herin, Jr. replied affirmatively. He added that the town's variance criteria was the standard of the courts and loosening the criteria was not supported in litigation. LPA Member Vanasse noted that they could change the conversion ratio quickly in the LDC without needing a comp plan amendment. Town Attorney Herin, Jr. cautioned that the state mandated that residential and hotel units in the coastal high-hazard areas be evacuated within 24 hours in the event of a tropical storm.

~~Council Member Bowen~~ LPA Member Boan^{as amended 4.3.23} concurred with preserving the beach but felt they needed the flexibility to negotiate with developers. He was concerned with the proposed density point system because it locked in the town and took away flexibility. He agreed that they needed to establish incentives to avoid lawsuits.

Mayor Allers thought that there was a consensus on four areas: FAR and the density in place made sense and still allowed room for negotiations, to create priorities for community benefits to lay out for developers, move forward with the nodes and where the zones would be located and find a way in the LDC and comp plan to allow cottages and small business to rebuild.

Council Member Veach added adjusting the CB district. LPA Member Safford questioned changing where FAR calculations started in the A zone.

LPA Member Vanasse stated that dealing with the FAR, the number of stories and height restrictions complicated things, but they had to deal with them.

Planner Propst stated that using the FAR multiplier was not traditional and made building difficult for hoteliers because the density did not work. She indicated that builders could not add an extra story if there was not enough FAR. LPA Member Plummer described allowing rooftop areas to provide more function and Planner Propst replied that it could be included and defined as an inhabitable space.

Chair Cereceda preferred the public benefits implemented by Polk County instead of using the point system.

B. Development Incentives

Development incentives to receive approval/additional intensity, such as public art, ROW dedication, affordable housing, beach access, open space or public open space allocation, public parking / contribution, public infrastructure upgrades.

IV. ADJOURNMENT

Minutes adopted as amended, April 3, 2023; Motion by Council Member King and seconded by Council Member Woodson. Passed 5-0.



Amy Baker, Town Clerk